

PAGE COUNTY BOARD OF SUPERVISORS



BY-LAWS

**ADOPTED
March 13, 2001**

**REVISED
January 5, 2004**

TABLE OF CONTENTS

Creation	3
Seal of the Board	3
Principle Office	3
Chair to the Board	3
Vice-Chair	3
County Administrator	4
County Attorney	4
Quorum for the Exercise of Board Business	4
Meetings and Attendance	4
Order of Business	6
Conduct of Business	6
Order	8
Committees	9
Parliamentarian	9
Rules	9
Official Board Travel	9
Approval of Certain Checks, Authorization to Sign with Stamp	9
Approval of Minutes	10
Consent Agenda	11
Appendix	12

January 5, 2004

PAGE COUNTY BOARD OF SUPERVISORS BY-LAWS

I. CREATION

Page County Board of Supervisors, hereinafter called the Board, is an elected body provided by the Code of Virginia, Section 15.2-1400. It consists of five (5) members elected from each of the Voting Districts.

II. SEAL OF THE BOARD

When affixed to any paper or document by the Clerk of the Board, the Seal has the force and effect for authentication for the Board.

III. PRINCIPLE ADDRESS

117 South Court Street, Page County, Luray, Virginia; mailing address 117 South Court Street, Luray, VA 22835

IV. CHAIR TO THE BOARD

At the first meeting of the year, the Board selects one of its members to serve as Chair. The Chair is a voting member and serves for one year. However, the Chair serves at the pleasure of the Board.

V. VICE-CHAIR

At the first meeting of the year, the Board selects one of its members to serve as Vice-Chair. The Vice-Chair is a voting member and serves for one year at the pleasure of the Board.

VI. COUNTY ADMINISTRATOR

The County Administrator shall be Clerk to the governing body and his/her general duty is set forth in the Code of Virginia, Section 15.2-1540 and 15.2-1541. He/she shall maintain an office at the same address as the Board. The Executive Secretary is designated Deputy Clerk to the Board.

VII. COUNTY ATTORNEY

The County Attorney assists the Board in analyzing the facts; provides advice and action in legal matters and represents the Board in civil actions; provides advice and action in legal matters to the constitutional officers, zoning administrator, building code official and other departments and agencies of the County. Any item presented to the

County Attorney for opinion, must be submitted in writing, and a written response shall be provided.

VIII. QUORUM FOR THE EXERCISE OF BOARD BUSINESS

A majority of the Board shall constitute a quorum for the purpose of conducting Board business.

IX. MEETINGS AND ATTENDANCE

- A. All meetings and business shall be conducted in accordance with the Code of Virginia, Robert's Rules of Order Revised, and these by-laws as interpreted by the County Attorney.
- B. Regular Meetings will be held on the third Tuesday of each month at 7:00 p.m. at the designated location. The Board's calendar is attached and incorporated herein. Closed Meetings will be held as needed. The Board, at its pleasure, may continue its meeting beyond the normal adjournment/recess time. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside. If neither the Chair nor the Vice Chair is present, the County Administrator shall call the meeting to order and preside for the election of a temporary Chair.
- C. Any person making a written presentation or demonstrating a matter by way of brochure, picture, etc., shall provide the County Administrator 10 copies of the matter at least seven (7) days prior to the meeting at which they wish to make a presentation. This requirement shall not apply to citizens speaking during Citizens Comments.
- D. The County Administrator shall list all items requested for the agenda. If, in the opinion of the County Administrator, an item is not appropriate for consideration by the Board, he/she shall inform the Chair, and if the Chair is in agreement, the Board shall first discuss whether to entertain the item.
- E. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.
- F. The Board shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Board, provided no Board Member objects.
- G. Time permitting, items not on the agenda shall be heard as the final items of the Board's business. If time does not, in the opinion of the Chair or the Board, permit hearing items not on the agenda, they shall be carried over to the next regular or special meeting.

- H. Once a notice for Public Hearing has been advertised, (regardless of the nature) the Public Hearing must be conducted.
- I. Departmental reports, general correspondence, calendars and notices, financial reports and other matters not directly related to an agenda item are to be provided to the Board under separate cover from the Agenda Packet.
- J. Weather – A regular meeting shall be continued to the immediately following Tuesday at the same time and place as the regular meeting if the Chair, or Vice Chair when the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend regular meeting. Such finding shall be communicated to the members and the public and press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.
- K. Legal Holiday – When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Board.

X. ORDER OF BUSINESS

The Order of Business for the regular meeting on the third Tuesday, shall be as follows unless the County Administrator in drawing up the Agenda shall find good cause to change it:

Call to Order, Moment of Silence & Pledge of Allegiance

Reports

Public Hearings (7:10 p.m.)

Presentations (5 minutes)

Public Comments on Agenda Items

Action Matters

Consent Agenda

Old Business

New Business

Accounts Payable

Open Public Comments

Supervisors' Time

Closed Session (as needed)

Adjourn/Recess

Items with appointments shall be heard as nearly to appointed time as possible in preference to other business, except that the Board may vote to call up any matter on the agenda at anytime.

XI. CONDUCT OF BUSINESS

- A. When the question is called and there is no dispute, the Chair shall call for the vote.
- B. Any member abstaining on a vote shall so indicate following the call for the vote.
- C. A Motion does not require a second.
- D. Exhibits before the Board shall become the property of the Board and shall be filed with the County Administrator.
- E. Citizens shall not speak at a meeting unless they are recognized. Citizens shall request recognition by addressing "Mr. Chair" or "Madam Chair" (as appropriate) and await acknowledgment. At his/her discretion, the Chair may permit a dialogue without individual recognition between members of the Board or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business.
- F. Should it be desired by the Chair, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator's Office. The County Administrator shall take down verbal resolutions as accurately as possible, but when loosely worded or incomplete "whereases" precede the motion, the County Administrator should use appropriate language to accomplish the intent of the Board.
- G. Prior to initiating a public hearing, the Chair shall recount the rules under which the hearing shall be operated, but he/she may amend the rules during the hearing by giving notice of the change to those gathered.

- H.
1. Only those issues as addressed in the published notice for a public hearing shall be considered by the Board at a public hearing. Any citizen appearing before the Board at a public hearing shall speak only to those matters at hand.
 2. The Chair of the Board may set a specific time period and limitation of time during which any citizen may speak.
 3. After the public hearing is closed by the Chair no citizen may speak before the Board on said public hearing unless the public hearing is reopened by a majority vote of the board.
 4. Any citizen speaking before the Board at a public hearing shall address the Board and shall conduct himself/herself in an orderly manner. His or her failure to comply with these standards may result in his/her removal from said public hearing.
- I. At the beginning of the public hearing, the Chair shall call upon the County Administrator or the other staff member handling the matter at hand or shall himself/herself recount a description of the issue placed before the hearing.
- J. Subject to revocation or extension by the majority of the Board assembled, the Chair may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Board members, on a matter and/or limit the number of times each speaker may address the Board on a matter. Notwithstanding the foregoing statement, every Board member shall be entitled to make a statement on every matter before the Board and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.
- K. All members or citizens shall limit their comments before and to the Board. The Chair may prohibit questions from citizens until a speaker has finished his/her presentation.
- L. The Board of Supervisors has set forth the following rules for presentation time limits:
1. Individual presentations placed on the Board's agenda shall be recommended to five (5) minutes in duration.
 2. If time permits, a change will be made by a majority consent of the Board of Supervisors.
- M. At such times a Board member may find himself or herself with a conflict of interest the Board member shall state the nature of the conflict of interest and shall, at their election, remove himself or herself from voting or abstention or both.

- N Comments should be addressed to the Chair. Derogatory comments directed at specific members or staff shall be ruled out of order. Persons may not yield their time. Persons may not speak more than once on an issue. Public Comments is a time for comments and the Board does not normally respond to questions, but may direct staff to respond at a later date.

XII. ORDER

- A. It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair shall speak to points of order in preference to all other members.
- B. In maintaining decorum and propriety of conduct, the Chair shall not be challenged and no debate shall be allowed until after the Chair declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Board to discuss the matter.
- C. No member or citizen shall be allowed to use slanderous or abusive language directed at any member of the Board or other person, excessive noise, or speaks out of order, or in any way fails to comply with rules or procedures set by this Board, or incite persons to use such tactics. The Chair and/or the County Administrator, or County Attorney shall be the judge of such breaches, however, the Board may vote to overrule both.
- D.** When a person engages in such breaches, the Chair may order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property and may, at his discretion, bring formal charges for disruption of a public meeting.
- E. A copy of the rules of order shall be posted.

XIII. COMMITTEES

Ad hoc committees may be appointed by the Chair as needed. Constitutional Officers may be appointed to committees.

XIV. PARLIAMENTARIAN

The County Attorney shall act as Parliamentarian to the Board.

XV. RULES

- A. The by-laws may be suspended at anytime, for a given board meeting, by a majority vote of the Board of Supervisors.

- B. The by-laws may be altered by a majority vote of the Board of Supervisors.

XVI. OFFICIAL BOARD TRAVEL

- A. A Board member may travel officially in-state at the Board member's discretion. In-state travel shall include travel to Washington, D.C.
- B. A Board member shall obtain advance approval of the Board prior to official travel out-of-state.
- C. A report and accounting of funds shall be made for travel.

XVII. APPROVAL TO PAY PAYROLL AND ACCOUNTS PAYABLE WARRANTS

- A. Consistent with Code of Virginia paragraph 15.2-1243, the Board of Supervisors grants to the County Administrator the authority to audit and approve for payment on their behalf warrants for valid accounts payable and payroll activity.
- B. The County Administrator's approval will be documented in writing on a check transmittal that will accompany the warrants when they are forwarded to the Treasurer for signature.
- C. All warrants must be presented to the Board of Supervisors for action ~~before approved for payment by the County Administrator and signed by the Treasurer. These warrants will be presented to the Board of Supervisors~~ as a consent agenda item at their ~~next~~ regular meeting.

XVIII. APPROVAL OF MINUTES

- A. Minutes taken during a previous Board meeting will be distributed to the members of the Board with the Board package for review prior to the meeting of the Board at which approval is requested. Minutes of prior board meetings will be deemed to be approved as submitted, unless a correction is requested by a member of the Board and approved by the vote of a majority of Board members.
- B. It is the policy of the Board that minutes shall be concise, enumerating the following terms:
 - 1. Time, date and place of the meeting, members of the Board and key staff members in attendance. The Clerk shall record in the minutes the absence of any member of the Board from any portion of the meeting.
 - 2. A concise statement of the matter before the Board, those persons speaking on the matter and a synopsis of the statements.
 - 3. A notation of specified issues or clarifications that have salient bearing on the matter being decided.

4. A notation of the memorandum and exhibits which accompany the matter before the Board which shall be filed with the clerk's records of the meeting.
 5. A statement of the specific request or recommendation being presented to the Board.
 6. The specific and full text of each motion, substitute motion, and amendment considered by the Board. The result of the vote, passage or failure, shall be noted and the vote of each member recorded.
 7. Such specific items, issues, comments, or votes, as requested by any Board member during a meeting but prior to approval of the minutes by the Board.
 8. Such other matters as the Clerk shall deem necessary to provide a complete, accurate and understandable record of the deliberations of the Board.
- C. Minutes of workshops and other meetings of the Board where no formal action is taken shall be summary in nature, indicating the time, date and place of the meeting, members of the Board in attendance, persons making presentations before the Board, and the topic or topics of the workshop or discussion.
- D. Tape recording of Board meetings shall be made at all meetings. The tapes shall be retained by the Office of the County Administrator indefinitely.

XIX. CONSENT AGENDA

- A. The purpose of the Consent Agenda is to provide a method for the expeditious handling of items, which, in the opinion of the County Administrator and the Chair, will not require discussion and will be approved unanimously by the Board.
- B. Prior to the consideration of a motion to approve the consent agenda, the Chair shall ask if any member of the Board would like to have an item removed from the consent agenda for discussion, for further information, or in order that there might be a separate vote on the item.

C. Any item or items which one or more members of the Board wishes to remove from consent agenda shall be removed by the Chair, and, at that point, a motion to approve the remaining consent agenda shall be in order. Items which have been removed from the consent agenda may be taken up by the Board immediately after the approval of the remaining consent agenda or may be scheduled for consideration later in the meetings by the Chair with the concurrence of the Board.

CONTENTS OF APPENDIX

1. 2004 Page County Board of Supervisors Meeting Calendar
2. COUNTY PERSONNEL RULES AND REGULATIONS, Dated September 11, 2002
3. BOARD POLICIES
 - Marketing of Solid Waste
 - Freedom of Information Act
 - Small Purchasing Policy
 - Procedure for Refund Payments
 - Financial Policies
 - HIPPA Policy
 - Fixed Assets Policy